

**MINUTES
WATAUGA CITY COUNCIL
REGULAR MEETING
MONDAY, JULY 8, 2019
CITY HALL, COUNCIL CHAMBER, 7105 WHITELEY ROAD
6:30 PM**

CALL TO ORDER

The City Council of the City of Watauga, Texas convened the Regular Meeting at 6:56 p.m. with the following members present:

Mayor	Arthur L. Miner
Council Member, Place 1	Scott Prescher
Council Member, Place 3	Lovie Downey
Council Member, Place 4	Andrew Neal
Council Member, Place 5	Juanita King
Council Member, Place 7	Kim Irving

and

Andrea Gardner, City Manager
George Hyde, Interim City Attorney
Terri Johnson, Interim City Secretary
Tara Rogers, Deputy City Secretary
Keith Hartman, Assistant Chief of Police
Shawn Fannan, Fire Chief
Sandra Gibson, Director of Finance
Paul Hackelman, Director of Public Works
Marcia Reyna, Director of Human Resources/Civil Service
Lana Ewell, Library Director
Sal Torres, Parks Director
Bradley Fraley, Chief Information Officer/PIO

With

Council Member Place 6, Mayor Pro Tem, Mark Taylor and Council Member Tom Snyder, absent with notice.

INVOCATION

Council Member Kim Irving gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Arthur L. Miner led the pledges of allegiance to the United States flag and the State of Texas flag.

ANNOUNCEMENTS

City Manager, Andrea Gardner made 2 announcements.

1. Thursday, July 11, 2019, at 3:00 p.m.- There will be a reception held for the outgoing council members. This is open to the public.
2. The local Target donated a \$5000.00 grant to the Police Department towards the "Hero and Helpers" program.

DISCUSSION AND APPROVAL OF MEETING AGENDA

1. Consideration and action on approval of meeting agenda

Council Member Downey made a motion to accept the agenda as presented.

Council Member Irving seconded the motion, which passed 5-0-2-0 as follows:

AYES: Prescher, Downey, Neal, King, Irving
NAYS: None
ABSENT: Taylor, Snyder
ABSTAIN: None

PRESENTATIONS

1. Mayor Miner: Presentation of the GFOA's Distinguished Budget Award for FY 2018-19 making it the 30th consecutive year receiving such award. The award was presented to the City of Watauga Finance Director and Assistant Finance Director.
2. Mayor Minor: Presentation of the proclamation to the Watauga Parks and Community Services Departments declaring July 2019 as National Parks and Recreation Month.
3. City Manager, Andrea Gardner: Presentation of Service Awards for City of Watauga Employees celebrating a milestone anniversary during the month of July 2019.

City of Watauga Firefighter, Kevin Knox, celebrating a ten-year anniversary during the month of July 2019.

City of Watauga Public Works Superintendent, Ronnie Rawdon, celebrating a fifteen year anniversary during the month of July 2019.

CITIZEN'S OPEN FORUM

Citizens addressing the City Council included:

Steve Welch, 6925 Bernadine Drive - would like to thank the Council for the website and the addition of the Council pictures.

Chris Campagna, 6600 Brookdale- expressed concern regarding the potential problem of over use of power from Council and future Council if also serving as board members or liaisons on other city boards.

Mayor Miner responded that the City Council liaisons are not board members. They are observers who provide input. They do not vote and do not interact in discussions at the meetings. As well, the state allows up to 4, we are choosing to stay at 3 council liaisons.

Interim City Attorney, George Hyde, referenced, chapter 171 of the Texas Government Code, which governs conflict of interest and the ethics ordinance and the council liaisons process we have in place is in accordance with the Code.

REPORTS

1. Report presentation on 86th Legislative Session with emphasis on bill impacting the City of Watauga

City Manager, Andrea Gardner, gave a summary of the written final report provided to council in the packet. Significant impacts include Senate Bill 2, which includes changes to verbiage as well as financial impacts on the City. The city staff will include impact results of such changes at the future budget workshops when calculations can be made. Another impact is in regards to data on cell phones and the financial impact of red light cameras being turned off. Finally, the bill regarding cable and telecom franchise fees has the potential to have a great impact on the city financially.

Mayor Miner added he attended the Legislative Wrap up in Austin. The negative financial impact is great. This will make budgeting a lot harder in the future.

Council Member, Scott Prescher, asked if there was a time frame specified for taking down red light camera signs, and inquired to the possibility of having to cut traffic safety programs. Councilman asked if there was a law suit regarding bill 1152. Is the financial impact of this bill on the city worth the financial liability for participating in the lawsuit.

City Manager, Andrea Gardner, answered regarding the law suit and Senate Bill 1152 and informed council if they wish to be a part of that law suit and stated

belief that the loss would be great enough to justify participation, direction from council is needed.

After discussion the council direction was given. Verbal unanimous consensus to join the lawsuit (SB 1152) with other TML cities was as follows:

Irving-Yes
King-Yes
Neal- Yes
Downey-Yes
Prescher-Yes

2. Report on status of the picnic shade pads at Foster Village approved at the June 2018 Council meeting

Sal Torres, Director of Parks and Community Services, reported the approved project was complete. Total was \$39,660. There are 3 picnic pads at the playground.

Council Member, Scott Prescher, asked if the \$40,000 that was allotted included installation and asked what the live span expectancy of the new shade structure is.

Council Member, Kim Irving, commented the shade pads were great.

3. Report on Watauga Fest 2019. Sal Torres yielded the floor to Magenta Landers who gave an After Action Report on Watauga Fest 2019. Report included the issues this year due to rain and the effect it had on revenues.

Council Member, Scott Prescher, asked about next year's attractions that were planned.

Council Member, Kim Irving, asked about the process for acquiring entertainment.

Council Member, Andrew Neal, inquired about feedback from the vendors who participated in Watauga Fest 2019.

4. Report on necessary amendments to the recently approved ordinance related to commercial vehicle parking on City streets. City Manager, Andrea Gardner stated this item was on the agenda at the request of Council Member, Scott Prescher. The reason being was citizen concerns from a previous meeting regarding the ordinance. After extensive conversation and attempts to find

solutions, it was determined the ordinance must stand as written. Recommendation from the City Manager is to table this item and discuss with City Attorney for a resolution.

Motion was made by Council Member Prescher to table item 4 and move to new business. The motion was seconded by Council Member Neal. Motion passed 5-0-2-0 as follows:

AYES: Prescher, Downey, Neal, King, Irving
NAYS: None
ABSENT: Taylor, Snyder
ABSTAIN: None

CONSENT AGENDA

All of the items on the consent agenda are considered to be self-explanatory by the Council and will be enacted with one motion, one second, and one vote. There will be no separate discussion of these items.

1. Consider action on the May 13, 2019, Council Regular Meeting Minutes; May 16, 2019 Chamber Luncheon Minutes; May 20, 2019 Council Orientation Minutes; June 10, 2019 Council Workshop Minutes; June 13, 2019 Council Special Meeting Minutes; June 14, 2019 Photo Shoot Minutes; June 17, 2019 Council Special Meeting Minutes; June 27, 2019 Chamber Big Business Mixer Minutes. Terri Johnson, Interim City Secretary
2. Consider action on a resolution accepting and approving the Watauga Economic Development Corporation Bylaws. Andrea Gardner, City Manager
3. Consider action on an Ordinance approving the Drought Contingency Plan as required by the State of Texas under the Texas Commission for Environmental Quality (TCEQ) Regulations. Paul Hackleman, P.E., CFM, Director of Public Works
4. Consider action on an Ordinance approving the Water Conservation Plan as required by the State of Texas under the Texas Commission for Environmental

Quality (TCEQ) Regulations, Paul Hackleman, P.E., CFM, Director of Public Works

5. Consider action on an ordinance adopting the 2018 edition of the 2018 International Swimming Pool and Spa Code (ISPSC) as the City of Watauga Swimming Pool and Spa Code and making amendments thereto. Randy Richards, Building Official Paul Hackleman, P.E., CFM, Director of Public Works
6. Consider action on a declaration of the 2019 Personal Property List as surplus assets for disposition Paul Hackleman, P.E., CFM, Director of Public Works
7. Consider action on a Resolution adopting Written Investment Policies Standards Governing the City of Watauga's Investment Practices and Amending the Authorized Broker/Dealers list for the City of Watauga. Sandra Gibson, CGFO, CGFM, Director of Finance
8. Consider action on the May 2019 Financial Report for the City of Watauga Sandra Gibson, CGFO, CGFM, Director of Finance
9. Consider action on approving an Interlocal Agreement for the Design of Arcadia Trail Connection between the City of Fort Worth, Texas and the City of Watauga, Texas Paul Hackleman, P.E., CFM, Director of Public Works
10. Consider action to Amend the Interlocal Agreement between the Northeast Fire Department Association (NEFDA) and the Cities of Bedford, Colleyville, Euless, Grapevine, Haltom City, Hurst, Keller, North Richland Hills, Richland Hills, Roanoke, Southlake, Trophy Club MUD #1, Watauga and Westlake for the efficient use of Fire Department Equipment entered into on August 14, 2014 in a form approved by the City Attorney Shawn Fannan, Fire Chief
11. Consider action on an ordinance of the City Council of the City of Watauga, Texas amending the Code of Ordinances, Chapter 2, Article VI, Division 2, Records Management Program. Andrea Gardner, City Manager
12. Consider action on a Professional Services Agreement between the City of Watauga, Texas and Burgess & Niple, Inc. for the 2019 Sanitary Sewer Evaluation Study (SSES) in a form to be approved by the City Attorney Paul Hackleman, P.E., CFM, Director of Public Works
13. Consider action on accepting the Crime Control and Prevention District 2019-2020 Proposed Budget as adopted by the Watauga Crime Control and Prevention District Board of Directors Sandra Gibson, CGFO, CGFM, Director of Finance

14. Consider action on setting the Public Hearing date for the Watauga Crime Control and Prevention District 20192020 for August 5, 2019 and the Watauga Crime Control and Prevention District Budget Adoption Date for August 12, 2019
Sandra Gibson, CGFO, CGFM, Director of Finance

A motion was made by Council Member Irving to accept the consent items as presented. The motion was seconded by Council Member Downey. The vote passed as follows: 5-0-2-0.

AYES: Prescher, Downey, Neal, King, Irving
NAYS: None
ABSENT: Taylor, Snyder
ABSTAIN: None

PUBLIC HEARING

The Mayor opened the Public Hearing at 7:53 p.m.

No citizen comments

The Mayor closed this Public Hearing at 7:54 p.m.

UNFINISHED BUSINESS

1. Discuss and consider action on an ordinance by the City Council of the City of Watauga, Texas amending the City of Watauga Code of Ordinances; providing rules and regulations related to the procedure for selection and appointment of members to the various commissions, boards, committees and corporations of the City.

ORDINANCE NO. 2019-005

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING CHAPTERS 2, 6, 20, 30, 101, AND 115 OF THE CITY OF WATAUGA CODE OF ORDINANCES; PROVIDING RULES AND REGULATIONS RELATED TO THE PROCEDURES FOR SELECTION AND APPOINTMENT OF MEMBERS TO THE CHARTER REVIEW COMMISSION, THE CRIME CONTROL DISTRICT BOARD, THE BOARD OF APPEALS, THE WATAUGA IMPROVING NEIGHBORHOODS COMMITTEE, THE ANIMAL ADVISORY COMMITTEE, THE LIBRARY BOARD, THE PARKS

DEVELOPMENT CORPORATION, THE PLANNING AND ZONING COMMISSION, THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE AND THE BOARD OF ADJUSTMENT; PROVIDING FOR REPEAL; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

City Attorney, George Hyde, explained the inconsistencies to the processes of appointments to boards, commissions, and committee members in the past. He proposed an ordinance modifying previous ordinances inconsistent with the City Charter.

The Mayor asked for public comments:

There were none.

A motion was made by Council Member Prescher, to approve the item as presented. The motion was seconded by Council Member King. The motion passed 5-0-2-0 as follows:

AYES: Prescher, Downey, Neal, King, Irving
NAYS: None
ABSENT: Taylor, Snyder
ABSTAIN: None

Council had a lengthy discussion with the City Attorney and the City Manager on how best to move forward and how they would like to proceed with the process of appointing to boards, commissions, and committee members.

A motion was made by Council Member Downey to bring all the applications before the Council at the August Regular Council Meeting. The motion was seconded by Council Member Neal. The vote passed as follows: 5-0-2-0.

AYES: Prescher, Downey, Neal, King, Irving
NAYS: None
ABSENT: Taylor, Snyder
ABSTAIN: None

A motion was made by Council Member Downey for a recess. The motion was seconded by Council Member Neal.

The mayor adjourned the meeting for a 10 minute recess at 8:25 P.M.

The mayor reconvened at 8:38 P.M.

NEW BUSINESS

1. Discuss and consider action to direct City Manager regarding the development of a policy for award nominations and presentations to include the Hometown Hero Program and the NE Tarrant Chamber Leadership Program.

City Manager, Andrea Gardner, was asked by Council Member Taylor to present this item in his absence. He asked for guidance from the City Manager to prepare a policy.

Mayor asked for public comments:

There were none.

Council Member Prescher asked the procedures of other cities in the area regarding this process.

Council Member Irving stated the Council should vote on the nominee for Home Town Hero and that it should be a citizen or City employee and not a City Council Member.

Council Member Downey stated residents who volunteer and veterans should also be considered for this nomination.

City Manager, Andrea Gardner, commented a simple way to have nominations would be a press release asking citizens to apply for the nomination, along with a resolution of support for those individuals from the Council.

Council Member Neal commented there should be no self- nominations accepted.

Council Member Prescher made a motion to have City staff come up with guidelines for this item. The motion was seconded by Council Member King.

The vote passed as follows: 5-0-2-0.

AYES: Prescher, Downey, Neal, King, Irving
NAYS: None
ABSENT: Taylor, Snyder
ABSTAIN: None

2. Discuss and consider action to create a Parks Advisory board, declaring the purpose of the board, establish membership size for the board and require bylaws be created by the board for Council approval. Sal Torres, Parks and Community Services Director

Director of Parks and Community Services gave an overview of the item and asked for direction from Council on how to proceed.

Mayor asked for public comments.

There were none.

Council discussed the pros and cons to having a Parks Advisory Board.

Council Member Irving made a motion for the City Attorney to move forward with the appropriate item needed to establish the Parks Advisory Board. The motion was seconded by Council Member Downey. The vote passed as follows: 4-1-2-0.

AYES: Downey, Neal, King, Irving

NAYS: Prescher

ABSENT: Taylor, Snyder

ABSTAIN: None

3. Discuss and consider action on a Resolution by the City Council of the City of Watauga, Texas authorizing and approving publication of Notice of Intention to issue Certificates of Obligation in an amount not to exceed \$8,850,000; complying with the requirements contained in Securities and Exchange Commission 15c212.

RESOLUTION NO. 2019-003

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12; AND PROVIDING AN EFFECTIVE DATE

Director of Finance, Sandra Gibson gave an overview of the purpose for the resolution.

Mayor asked for public comments.

There were none.

Council Member Downey to approve the item as presented. The motion was seconded by Council Member Irving. The vote passed as follows: 5-0-2-0.

AYES: Prescher, Downey, Neal, King, Irving
NAYS: None
ABSENT: Taylor, Snyder
ABSTAIN: None

4. Discuss and consider action authorizing a member(s) of Council to participate in the NE Tarrant Chamber Leadership NE Program.

City Manager, Andrea Gardner, gave an overview of the item.

Council discussed the program and asked the cost and time needed to participate.

Mayor asked for public comments.

Steven Welch, 6925 Bernadine Drive, asked if the city was going to pay for the Council participants and stated if someone is signed up they need to attend.

Maury Parithaner, 6625 Richardson Drive, stated he participated in this program and would be happy to answer any questions the Council may have.

Jan Hill, 6444 West Ridge, stated she graduated from a leadership program as well and gave an overview of that program.

Council discussed further.

Council Member Irving made a motion to authorize and recommend Kim Irving, Lovie Downey, Art Miner, and Andrew Neal to attend the leadership program. The motion was seconded by Council Member Downey. The vote passed as follows: 5-0-2-0.

AYES: Prescher, Downey, Neal, King, Irving
NAYS: None
ABSENT: Taylor, Snyder
ABSTAIN: None

5. Discuss and consider action on a Resolution to approving an Economic Development Grant Agreement for the installation of a Splash Pad between the Watauga Economic Development Corporation and the City of Watauga on the first of two readings.

RESOLUTION NO. 2019-004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS, APPROVING A CITY OF WATAUGA ECONOMIC DEVELOPMENT GRANT AGREEMENT FOR THE INSTALLATION OF A SPLASHPAD BETWEEN THE WATAUGA ECONOMIC DEVELOPMENT CORPORATION AND THE CITY OF WATAUGA, TEXAS AND AUTHORIZING THE MAYOR OF THE CITY OF WATAUGA TO EXECUTE SAID AGREEMENT.

City Manager, Andrea Gardner, gave an overview of the requirements by law for this item and recommended the item be approved.

Mayor asked for public comments.

There were none.

Council Member Neal made a motion to approve the item as presented. The motion was seconded by Council Member King.

Council Member Prescher asked a question regarding the funding of the splash pad, and asked if the previous grants applied for were denied.

The vote passed as follows: 5-0-2-0.

AYES: Prescher, Downey, Neal, King, Irving
NAYS: None
ABSENT: Taylor, Snyder
ABSTAIN: None

6. Discuss and consider action on a resolution approving an Economic Development Grant Agreement for the Installation of a Splash Pad between the Watauga Economic Development Corporation and the City of Watauga on second and final reading.

Mayor asked for public comments.

Lindsey Neal, 6920 Cheatham Drive, stated she needed clarification on if the splash pad is required now that the grants were not approved. She asked Council to reconsider the splash pad due to the grants not being approved.

Cheneya Cruze, 6013 Karilynn Drive, stated she supported the splash pad as long as the grants were involved to offset the cost.

Steven Welch, 6925 Bernadine Drive, asked what would happen to the fund or if there was a penalty if the City backed out of the splash pad.

The City Attorney stated the monies cannot be used for any project. It has to be a specific type of project according to Texas Law.

City Manager stated debt has been issued for this project already. If this item is not approved the City will still have to pay back these monies. This item is to help the city with funds from the EDC.

Council Member Irving made a motion to approve the item as presented. The motion was seconded by Council Member Neal. The vote passed as follows: 5-0-2-0.

AYES: Prescher, Downey, Neal, King, Irving
NAYS: None
ABSENT: Taylor, Snyder
ABSTAIN: None

City Manager, Andrea Gardner, commented on SB 26 and SJR 24 and stated this will be on the ballot in November. The bill appropriates sales tax directly to parks.

Council Member Neal made a motion to adjourn to executive session and move Item 4 under reports (previously tabled) to executive session. The motion was seconded by Council Member Downey. The vote passed as follows: 5-0-2-0.

AYES: Prescher, Downey, Neal, King, Irving
NAYS: None
ABSENT: Taylor, Snyder
ABSTAIN: None

EXECUTIVE SESSION

The City Council may announce that it will adjourn the public meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on this agenda and/or as permitted by Chapter 551 of the Texas Government Code. The City Council will convene in executive session pursuant to (Texas Open Meetings Act), Chapter 551 of the Texas Government Code, Section 551.071 Consultation with Legal Counsel, and Section 551.074 Discussion of personnel matters, which allows the following:

1. Texas Government Code Section 551.071 to deliberate upon, seek advice of the City Attorney regarding the specific powers of the council as provided by Section 3.07 of the Watauga City Charter.
2. Texas Government Code Section 551.071 to deliberate upon and seek the advice of the City Attorney regarding United States vs. Brittney Ann Cole (001) in which the City is a related party.
3. Texas Government Code Section 551.074 Personnel Matters to deliberate regarding the duties of City Manager, Andrea Gardner.
4. Texas Government Code Section 551.071 to deliberate upon, seek advice of the City Attorney regarding the specific powers of the council as provided by Section 3.07 of the Watauga City Charter for Item 4 under reports (tabled).

Council went into Executive Session at 9:55 P.M.

RECONVENE

The Mayor reconvened the meeting at 10:50 P.M.

Council Member Neal made a motion to table items 1 and 2 under executive session. The motion was seconded by Council Member King. The vote passed as follows: 5-0-2-0.

AYES: Prescher, Downey, Neal, King, Irving

NAYS: None

ABSENT: Taylor, Snyder

ABSTAIN: None

ITEMS FOR FUTURE COUNCIL MEETINGS

There was none.

ADJOURNMENT

With no further business at hand, Mayor Miner adjourned the Regular Meeting at 10:52 P.M.

APPROVED: this the day of , 2019

SIGNED: this the day of , 2019

APPROVED:

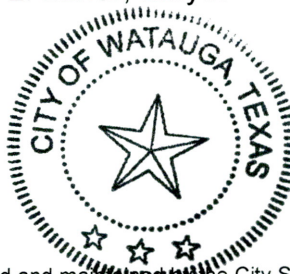


Arthur L. Miner, Mayor

ATTEST:



Andrea Gardner, City Secretary



NOTE: Original Audio and Video Recording of this meeting is preserved and maintained by the City Secretary's Office